



Patent
51306/789:1

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of:

Alexander M. McQueen

Serial No.: 10/762,132

Filed: January 20, 2004

For: **METHOD AND APPARATUS TO
PREVENT REPORTING MULTIPLE READS
OF OPTICAL CODED ITEMS**

)
) Group Art Unit: 2876

)
) Examiner: Daniel A. Hess

INFORMATION DISCLOSURE STATEMENT

Mail Stop Amendment
Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

Sir:

Pursuant to the duty of disclosure, documents listed on the accompanying Form PTO-1449 (or equivalent) are presented for the Examiner's consideration.

Copies of listed U.S. patent documents are omitted because this application was filed after June 30, 2003 and, thus is subject to image file wrapper processing.

The items identified in this IDS may or may not be "material" pursuant to 37 CFR § 1.56. The submission thereof by Applicant is not to be construed as an admission that any such patent, publication or other information referred to therein is material or considered to be material (37 CFR § 1.97(h)), or even qualifies as "prior art" under 35 USC § 102 with respect to this invention unless specifically designated.

CERTIFICATE OF MAILING
(37 C.F.R. §1.10)

I hereby certify that this paper (along with any referred to as being attached or enclosed) is being deposited with the United States Postal Service on the date shown below with sufficient postage as First Class Mail in an envelope addressed to Mail Stop Amendment, Commissioner for Patents, PO Box 1450, Alexandria, VA 22313-1450.

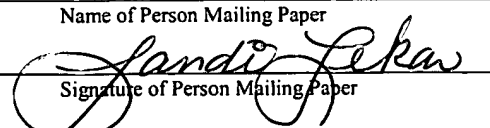
December 17, 2004

Date of Deposit

PortInd2-4501711.1 0051306-00789

Sandi Lekar

Name of Person Mailing Paper


Signature of Person Mailing Paper

INFORMATION DISCLOSURE STATEMENT FILING PROVISION:

☐ This IDS is believed to be timely in that it is being submitted under 37 CFR § 1.97(b), that is (1) within three months of the filing date of the application, which is not a continued prosecution application filed under § 1.53(d); or (2) within three months of entry of the national stage as set forth in 37 CFR § 1.491; or (3) before the mailing of a first Office action on the merits; or (4) before the mailing of a first Office action after filing a request for continued examination under § 1.114. Thus, no fee is required.

☐ However, if the undersigned is in error in this regard, Applicant respectfully requests that the Office consider this IDS as filed under 37 CFR § 1.97(c), if applicable, and charge the fee due under 37 CFR § 1.17(p) to the deposit account referenced below.

☐ However, if the undersigned is in error in this regard, Applicant respectfully requests that the Office consider this IDS as filed under 37 CFR § 1.97(c), if applicable, and a statement under 37 CFR § 1.97(e) is included below, thus no fee is required.

☒ This IDS is being submitted under 37 CFR § 1.97(c), that is after mailing of a first Office action on the merits, but before a Final Action under 37 CFR § 1.113 or a Notice of Allowance under 37 CFR § 1.311.

☒ The fee due under 37 CFR § 1.17(p) is submitted herewith.

☐ A statement under 37 CFR § 1.97(e) is included below, thus no fee is required. In the event that this IDS is not received before a Final Action or a Notice of Allowance, then Applicant respectfully requests that the Office consider the filing of these papers to be submitted under 37 CFR § 1.97(d) and charge the fee due under 37 CFR § 1.17(p) to the deposit account below.

☐ This IDS is being submitted under 37 CFR § 1.97(d), that is after a Final Action under 37 CFR § 1.113 or a Notice of Allowance under 37 CFR § 1.311, but before payment of the issue fee. A statement under 37 CFR § 1.97(e) is included below. The fee due under 37 CFR § 1.17(p) is submitted herewith.

STATEMENT UNDER 37 CFR § 1.97(e):

☐ Each item contained in this IDS was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this IDS.

☐ No item contained in this IDS was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the person signing this statement after making

reasonable inquiry, no item of information contained in this IDS was known to any individual designated in 37 CFR § 1.56(c) more than three months prior to the filing of this IDS.

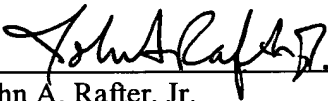
☐ Applicant sets forth below concise explanation of the relevance of each document not in the English language and/or selected documents(s) in the English language.

PAYMENT AND/OR AUTHORIZATION TO CHARGE FEES:

- ☐ A check in the amount of _____ is enclosed for the above fee(s).
- ☒ Please charge PSC's Deposit Account No. **13-4953** for the above fee(s).
- ☒ The Commissioner is authorized to charge PSC's Deposit Account No. 13-4953 for any additional fees which may be required.¹

Respectfully submitted,

Dated: December 17, 2004

By: 
John A. Rafter, Jr.
Reg. No. 31,653

Customer No. 33451
STOEL RIVES LLP
900 SW Fifth Ave., Suite 2600
Portland, OR 97204-1268
Telephone: (503) 224.3380
Facsimile: (503) 220.2480

¹ The Commissioner is authorized to charge Stoel Rives LLP's Deposit Account No. 19-4455 if the above-referenced Account No. 13-4953 has insufficient funds.

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APPLICANT:

Alexander M. McQueen

FILING DATE:

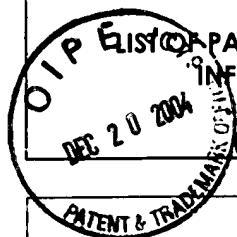
January 20, 2004

GROUP:

2876

LIST OF PATENTS AND OTHER ITEMS FOR APPLICANT'S
INFORMATION DISCLOSURE STATEMENT

(Use several sheets if necessary)



U.S. PATENT DOCUMENTS

EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUB CLASS	FILING DATE
	AA	6,394,351	5/2002	Keys et al.	235	462.01	12/31/1997
	AB	6,527,179	3/2003	Itoh et al.	235	462.01	12/16/1999

FOREIGN PATENT DOCUMENTS

EXAMINER INITIAL		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUB CLASS	TRANSLATION YES NO
	BA						
	BB						
	BC						

OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, etc.)

	CA	Manual: PSC Inc. VS1000 and SP*ACE Programming Kit, document ID: R44-1140 (11/1997); bibliographic data and excerpts pages 1-20, 37-40, 161-166 (total 32 pages); downloaded from http://na.psc.com/html/searcharchives.htm , visited 12/10/2004
	CB	
	CC	
	CD	
	CE	

EXAMINER:

DATE CONSIDERED:

EXAMINER: Initial if reference is considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include a copy of this form with next communication to applicant